App. F. IX-4]

Previous References. 1941. ( ) Legis **File No.** 29-41
Serial Nos. (1,2,3)

Later References.

(21)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Three only

Part B for May 1942

SUBJECT.

Amendments to Registration of Foreigners (Exemption) Order

Notifies further amendments to Registration of Foreigners (Exemption) Order

WD 03999—GPB—500—11-9-41

General and Revenue Secretariat

Legs

Registration of Foreigners

2715 / 2793

File No. of 194 [App. F. III—2

Serial No.

From

The Secy to Govt to the Hon'ble the Resident

Letter No. C.F. 61-40 dated (4) Pol dated 19th June 1941 forwarding a copy of Circular letter of the Govt of India dated 27th Octr 1941 regarding the registration of Chinese nationals and also a copy of the amendment notification dated 27 Octr 1941

II

Submitted: The notification of the Govt of India may be republished as usual But the circular letter being confidential a copy of it may be sent to the Dy of Police with the notifn.

2/ Submitted for orders with a draft notification.

21/7/41

3/ It would be necessary in the normal course to issue an amendment on similar lines to Declaration 3 of our Registration of Foreigners (Exemption) Orders. But this may be dispensed with as we have issued a notification making all amendments made in the British Indian enactment applicable mutatis mutandis to Mysore. Please send us a copy of that notification for refee.

4/ The notification of 21.7.41 is at Flag A

MKN 22/11

Bms 24/11

NOTE—Contn. Sheet.

WD 03967—GPB—5,000—30-8-41

2715 / 2793

Amendment to declaration under Registration of Foreigners (Exemption) Order.

File No. of 194 — General and Revenue Secretariat

3/ Printed copies of the Govt. of India Notn. have not been received.

6/ Submitted

7/ The Notification referred to is put up below at Flag O (Legis 19-35-41) 3-9-39)

The Notification refers only to the Foreigners' Order, and not to the Registration of Foreigners Act V of 1940 under which the Govt. of India Notn. at Flag O has to be republished with necessary modifications.

8/ A revised draft is submitted.

27/11 MW

9/ It is necessary to carry out a similar amendment in the declarations under our Registration of Foreigners Act, since no notification has so far been issued by us making the amendments made under the British Indian enactment applicable mutatis mutandis to Mysore. Draft of a Notification amending the Declarations is submitted for approval.

10/ A copy of the Govt. of India's letter regarding the registration of Chinese nationals may be sent to the I.G.P.

MW 28/11

(Law Secy)

11/ May be approved

Minister in Charge

Hm 28.11.41.

MW 28/11

Too long a time for putting up a reference.

MW 28/11

The Connected papers had been put up in another connection in the Legis Office. Hence the delay.

MJ 28/11

SECY. TO LAW DEPT. 28 NOV. 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW NOV 28 1941 No. 3344

Hm 29/11

Hm 2 29.11.41. MW 29/11

Amendment to declaration under 27(3)
Registration of Foreigners (Exemption) Order.
Registration of Chinese Nationals.

General and Revenue Secretariat | File No. of 194 . | [App. F. III-2

Serial No.

13/ A draft circular, on in the words of the Govt. of India Circular (with necessary modifications) is put up. The last para is omitted on account of [illegible]

MKV 4/12

SD 1/12/41 DOMV

Law Secy)

14/ May be approved

Minister for Law.)

Hon 2 2/12/41.

15/ Chief Secy & also my self in the light of previous political policy connected therewith.

MKV 4/12

16/ Chief Secy M.C.)

Hon 2 5.12.41 MKV 8/12

CB (War.)

17/ Check with previous refers & put up.

MKV 6/12

18/ There is no previous ref in the War Section. The enclosure to the Resy letter relates to the Registration of Foreigners Act & Rules and amendments to that and all the references are in the Legis Sec (please below). If necessary the present O.M may be scrutinised by the Asst Secy Legislation Section

SD 6/12

Chief Secy / Hon 6-12-41

19/ Yes.

MKV 6/12/41

ORR

Please put up the earlier amendments of Registration of Foreigners Exemption order - the file relating to original order also

MKV 8/12

Mr. D.V.

NOTE—Cont. Sheet.

SECY. LAW DEPT. 2 DEC. 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW DEC 8 1941 No SS 29

DEC. 1941 GOVT OF MYSORE

WD 04155—GPB—55,000—23-10-41

2793

File No. 505/M of 194

General and Revenue Secretariat

Serial No.

20/ The Registration of Foreigners Act and Rules in force in Mysore are identical with those in force in British India. Instructions received through the Residency are Mysore being forwarded to the I.G. of Police who is the Registration Officer for Mysore, for necessary action.

21/ In the present case also a copy of the circular could perhaps be sent to the I.G. of Police for taking necessary action.

Sm 10/12/41

Secy (R.A.V.Le) BKR 10/12/41

Chief Secy) BS 11/12/41

Law Minister) Sm 11/12/41

Pro Br for further action Sm 12.12.41

CHIEF SECY. GOVT. OF MYSORE 11 DEC 1941

DEC 11 1941 No 5901

Revised Draft put up. (Draft II) Draft I has been approved. For orders if both may issue Draft II may Issue

Law Secretary 13/12/41

Pro Br 13/12

Hm 13.12.41

TYPING SEC. 13 DEC 1941 R&K. SECTT.

Submd.

For orders to send this file to Pro. Br. for necessary further action.

B/M

19-12-41 BVN 19/12

Protection Branch)

Regn of Foreigners Act (Exemption)

General and Revenue Secretariat — Legs. File No. 29. 505/41 of 194/. [App. F. III-2

Serial No.	
2	To the Compiler myore Parcelle No. P 2675 / Legs 29-41-2 dy 15/12/4 Advises the amendment
3	To the Lg. of Police in Mysore No. P 2676 dy 15-12-41 Sdo for information & necessary act the copy of Circular letter ~~from~~ read with SL 1.
B	If approved this file will be recorded

B
18-5-42

18-5-42
18/5

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

2715 941 Pol 901

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. CF.61-40(4)-Pol.

SECRETARIAT 20. NOV. 1941

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

Legn 29-41-1

CHIEF SECRETARY 19. NOV. 1941 GOVT. OF MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, the 19th Novr. *1941*

Registration of Foreigners - Chinese nationals - amendments to Registration of Foreigners (Exemption) Order, 1939.

SIR,

I am directed to forward for information and favour of necessary action, a copy of Circular letter from the Government of India, Home Department, No. 1/3/41-Political (E), dated the 27th October 1941, with enclosure.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

BJ

CONFIDENTIAL

Copy of letter No.1/3/41 Political (E), dated New Delhi, the 27th October 1941, from the Government of India, Home Department, to the Chief Secretary to the Government of Madras / Bombay / Bengal / the U.P. / the Punjab / Bihar / the C.P. & Berar / Assam / the N.W.F.P. / Orissa / Sind.

The Chief Commissioner, Coorg, Delhi, Ajmer-Merwara, Panth-Piploda and Andaman & Nicobar Islands.

.....

Registration of Chinese nationals.

....

I am directed to say that, since the primary object of the Registration of Foreigners Act, 1939, was to secure a register of potential enemy subjects and since it was undesirable and unnecessary at the time of the enforcement of the the Registration of Foreigners Rules 1939, to impose upon the police the burden of registering all foreigners in India, Chinese nationals together with the nationals of all limitrophe countries were exempted from registration by virtue of clause (g) of declaration 3 of the Registration of Foreigners (Exemption) Order, 1939. On the recommendation of certain Provincial Governments, the Government of India have now decided that Chinese nationals should be registered for the reasons -

(1) that there is a danger that Chinese subjects may be used by the Japanese, either as willing agents or under pressure brought to bear upon them by threats to their families in occupied Chinese territory; and

(2) that there is a possibility that Japanese subjects or Formosans may pass as Chinese subjects particularly as, owing to their having entered India illegally, many Chinese subjects in India are not in possession of proper passports.

2. In pursuance of the foregoing decision I am to forward a copy of the Home Department notification No.1/3/41-Political-(E), dated the 27th October 1941, amending clause (e) of declaration 3 of the Registration of Foreigners (Exemption) Order, 1939, so as to make Chinese subjects liable to registration, and am to request that steps be taken as soon as possible to register all Chinese subjects residing in the Madras / the Bombay / etc. Presidency.
Presidency.

3. As few British subjects in India are familiar with the Chinese language while many Chinese nationals in India do not know either English or any Indian language there will undoubtedly be some difficulty in securing the registration of all Chinese subjects. It is therefore suggested that the registration of the educated members of the Chinese community with fixed addresses should be carried out first. The

No.1/3/41-Politi[illegible].
GOVERNMENT OF INDIA.
HOME DEPARTMENT.

New Delhi, the 27th October 1941.

NOTIFICATION.

In exercise of the power conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the Notification of the Government of India in the Home Department, No.21/32/39-Political, dated the 21st June 1939, namely

In clause (e) of Declaration 3 of the said Declarations after the word "State" the words "except China" shall be inserted.

Sd. H. J. Frampton,
Deputy Secretary to the Government of India.

---:0:---

"C O P Y"

P. K. Narayana Sivam
SUPERINTENDENT, RESIDENT'S OFF.

BJ

2293/41

The Residency,

Bangalore.

24th November, 1941.

No.CF.61-40(4)

Registration of Foreigners
Act, 1939 - Amendments to -

Forwarded with the compliments of the Secretary to the Hon'ble the Resident in Mysore.

The Chief Secretary to the Government
of His Highness the Maharaja of
Mysore,

Bangalore.

(with 2 s.c

HOME DEPARTMENT

NOTIFICATION

POLITICAL (E)

New Delhi, the 27th October 1941

No. 1/3/41.—In exercise of the power conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the Notification of the Government of India in the Home Department, No. 21/32/39-Political, dated the 21st June 1939 namely:—

In clause (*e*) of Declaration 3 of the said Declarations after the word "State" the words "except China" shall be inserted.

H. J. FRAMPTON,
Deputy Secy. to the Govt. of India.

GIPD—L285HD—6-11-41—1,100.

54

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. F.2675/Legis. 29-41-2 Dated Bangalore, 15th December 19 41

NOTIFICATION.

In exercise of the power conferred by section 6 of the Registration of Foreigners Act, 1940 (V of 1940), the Government of His Highness the Maharaja of Mysore are pleased to direct that the following further amendment shall be made in the Declarations published with the Notification No. F.430/Legis.39-39-3 dated the 21st July 1939, namely:-

In clause (c) of declaration 3 of the said Declarations after the word 'States' the words 'except Mina' shall be inserted.

By Order,

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Gazette.

TN-10)

~~HOME DEPARTMENT~~

NOTIFICATION

~~POLITICAL (E)~~ 180 P. 2675/Legis-29-41-2e/15.12.41

~~*New Delhi, the 27th October 1941.*~~

No. 1/3/41.—In exercise of the power conferred by section 6 of the Registration of Foreigners Act, ~~1939~~ 1940 (~~XVI~~ V of 1939), the ~~Central~~ Government of H.E.H. the Nizam's Dominions are pleased to direct that the following further amendment shall be made in the Declarations published with the Notification ~~of the Government of India in the Home Department, No. 21/32/39 Political~~, dated the 21st July 1939 namely:—

(T)

No P. 435-Legis 36-38-5.

In clause (*e*) of Declaration 3 of the said Declarations after the word "State" the words "except China" shall be inserted.

~~H. J. FRAMPTON,~~
~~*Deputy Secy. to the Govt. of India.*~~

By order,

28.11.41.
Secretary to Govt.
Law Deptt.

28/4

GIPD—L285HD—6-11-41—1,100.

Confidential

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Official Memorandum No.

~~To~~.

The Govt. of India, at the time of the enforcement of the Registration of Foreigners Rules, 1939, did not consider it desirable or necessary, to insist upon ~~of~~ the registering of all foreigners in India, as the primary object of the Registration of Foreigners Act was to secure a register of potential enemy subjects only. Hence Chinese nationals together with the nationals of all limitrophe countries were exempted from registration by virtue of clause (a) of declaration 3 of the Registration of Foreigners (Exemption) order. Accordingly, the registration of Chinese nationals in the ~~the~~ neighbouring State were not similarly insisted upon.

On the recommendation

WD 0436—GPB—10,000—17-10-33

of Certain Provincial Govts.
the Govt. of India have decided
that Chinese nationals should
be registered for the reasons —
1) that there is danger
that Chinese subjects may be
used by the Japanese, either
as willing agents or under
pressure brought to bear upon
them by threats to their families
in occupied Chinese territory; and
2) that there is a possibility
that Japanese subjects or Formosans
may pass as Chinese subjects —
particularly as, owing to their
having entered India illegally,
many Chinese subjects in India
are not in possession of proper
passports.

In pursuance of the
foregoing decision the Govt. of India
have issued a notification of
27-10-41 amending rule 3
of declaration 30 of the Defence

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Draft I.

of foreigners (Exemption Ordinance) and in accordance therewith a similar notification No. dated has been issued by this Govt. also.

So as to make Chinese subjects liable to registration.

As few ~~Foreign subjects~~ Chinese subjects in India are familiar with the Chinese language while many Chinese nationals in India do not know either English or any Indian language there will undoubtedly be some difficulty in securing the registration of all Chinese subjects. It is therefore suggested that the registration of the educated members of the Chinese community with first addresses should be carried out first. The registration of all other persons having the appearance of Chinese or Japanese subjects who have not already been register

WD 0436—GPB—10,000—17-10-33

as Japanese subjects might then be undertaken. In cases in which the person to be registered possesses a passport or other document of identity, it should be comparatively easy to establish his identity. Where the person to be registered can produce no documentary evidence establishing his identity beyond doubt, he might be directed to establish his identity within a specified period (e.g. one month); in the meantime he might be registered provisionally only.

Under section 4 of the Act, the burden of proving his identity will lie upon the person who is prima facie liable to registration but the Chinese Consul General

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

at Calcutta is being asked by the Govt. of India to assist them and his own nationals by supplying persons who are required to furnish proof of their identity with certificates of identity or passports. The ~~verifications~~ negotiations results of these will be intimated in a further communication by the Govt. of India. Pending their settlement, the registration of a Chinese national should be made final only if his identity established to the satisfaction of the Registration Officer, In all other cases registration will remain provisional and it will ultimately have to be decided by His Majesty's Govt. of India what action should be taken in respect of those persons who claim, or appear

WD 0436—GPB—10,000—17-10-33

to be Chinese subjects
but who fail to secure
final registration

~~Dis~~ By order

HMW 2/12/41

Secy. to Gov.

Law Dept

M

To the Lt. of Police

Dt. Magistrate of D.C.

Appendix F G—1]

SUBJECT Registration of Foreigners — Chinese nationals — Amendments to Registration of Foreigners (Exemption) Order 1939.

Section Legs
File No. 29-41
Serial No. 3

Diary No. of letter replied to.....

No. P 2676. & 15-12-41
Sec 3
To
The Inspector-General of Police

General and Revenue Secretariat

( )

the 19 .

Sir,

I am directed to forward herewith for information and necessary action, a copy of Circular letter from the Govt. of India, Home Deptt, No. 1/3/41-Political (E) of the 27th October 1941 with enclosure received through the Residency Agency Shaneee

Date of issue..... 15-12-41

Signed by Mr. K.P.P.

List of enclosures.....

Copied by .....

Examined by .....

Hm
13.12.41
Secy to Govt
Law Deptt
M

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 2676 Lys' 29-41-3 Encs

Dated, Bangalore, 13th December 1941.

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore,
Law Department.

To

The Inspector-General of Police in Mysore,
Bangalore.

SUBJECT: -- Registration of Foreigners - Chinese nationals - amendments to Registration of Foreigners (Exemption) Order.

Sir,

I am directed to forward herewith for information and neces-

ary action, a copy of circular letter from the Government of India,

ome Department No.1/3/41 Political (E) dated the 27th October 1941,

ith enclosure thereto received through the Residency.

I have the honour to be

Sir,

Your most obedient servant,

for Secretary to Government,
Law Department.

BHK/2.